

PATENT
Serial No. 09/552,650

REMARKS

Reconsideration and entry of the present application as amended is respectfully requested.

In the Office Action, claims 2-4 and 6-16 were rejected under 35 U.S.C. §102(b) as being anticipated by European Patent Application No. EP0 825 791 (BT). In response, claims 2-4, 6, 8-11 and 15-15 have been amended for clarification, namely, clarifying that the first terminal (that transmits its parameters relating to its capabilities) is the mobile terminal, and that the second terminal (that configures itself in accordance with the received parameters of the mobile terminal) is the fixed terminal, as discussed in the Amendment mailed on October 31, 2002, in response to the Office Action dated July 31, 2002. Thus, no new issues have been introduced by the present amendment, and entry thereof is respectfully requested. It is respectfully submitted that claims 2-4, 6 and 8-16 are patentable over BT for at least the following reasons.

BT is directed to a registration process where a mobile telephone acquires program data from a fixed base station of a network for controlling the mobile phone operation. In particular, the base station transmits a signal indicative of a preferred mode of operation. The mobile station responds indicating whether it

PATENT
Serial No. 09/552,650

has the required program data, then the base station transmits them to the mobile station. If the mobile station is unable to accept the data, then the process is repeated where the base station transmits the next preferred mode of operation. Such repetition delays the registration process.

Thus, it is the fixed base station that chooses the mode of operation of the mobile station, and it is the mobile station that is configured by the fixed base station, as correctly noted by the Examiner referring to column 5, lines 25-33 of BT.

In stark contrast, the present invention as recited in independent claims 2, 6, 9, and 10 requires that the mobile station transmits parameters related to its capabilities to the fixed station, and then the fixed station configuring itself based on the parameters received from the mobile station. This provides substantial benefits, such as allowing a mobile station to be operative and able to communicate with different types of fixed stations. This is diametrically opposite the teaching of BT where the base station transmits parameters to the mobile telephone for configuring the mobile telephone. Thus, BT teaches away from the present invention. Further, claims 15 and 16 require a server to request capabilities of a terminal, transmit parameters to the terminal which selects a portion of these parameters to form

PATENT
Serial No. 09/552,650

selected parameters, where the server provides the terminal required information based on the selected parameter, and the terminal configures itself based on the required information received from the server. A server and the particular interactions and features recited in claims 15 and 16 are nowhere taught or suggested in BT.

Accordingly, it is respectfully requested that independent claims 2, 6, 9, 10, 15 and 16 be allowed. In addition, as claims 3-4, 8 and 11-14 depend from independent claims 2, 6 and 10, applicant respectfully request that claims 3-4, 8 and 11-14 be allowed over the prior art of record.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited. If any informalities remain, the Examiner is requested to telephone the undersigned in order to expedite allowance. Please charge any fee deficiencies and credit any overpayments to Deposit Account No. 14-1270.

Respectfully submitted,

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